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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

KEVIN AKESSON,

Plaintiff,

v.

JAY INSLEE, in His Official  
Capacity As Governor,

Defendant.

NO. 2:20-cv-00180-TOR

SUBSTITUTED NOTICE OF  
REMOVAL TO FEDERAL  
COURT

**(CLERK'S ACTION  
REQUIRED)**

TO: KEVIN AKESSON, Plaintiff;

TO: JOEL B. ARD; DAVID K. DEWOLF, Plaintiff's Attorneys

AND TO: CLERK OF THE ABOVE-ENTITLED COURT:

Pursuant to 28 U.S.C. § 1441 and 1443, without waiving any procedural or substantive defenses except as provided by operation of law, Defendant JAY INSLEE, in his official capacity as Governor of Washington, hereby removes Plaintiff's lawsuit filed on May 11, 2020, in the State of Washington, Whitman County Superior Court under Cause No. 20-2-00074-38 to the Federal District

1 Court, Eastern District of Washington. The Defendants provide the following  
2 short, plain statement of the grounds for removal:

3 1. Removal is appropriate under 28 U.S.C. § 1441 and 1443 where: (1)  
4 Plaintiff's Complaint alleges, in relevant part, claims for declaratory relief  
5 under the Fifth and Fourteenth Amendments to the United States Constitution;  
6 and (2) the Federal District Court enjoys original jurisdiction of such claims  
7 pursuant to 28 U.S.C. §§ 1331, 1343.

8 2. Removal is timely and appropriate under 28 U.S.C. § 1446 where: (1)  
9 Plaintiff filed his Complaint on May 11, 2020, and this Notice of Removal is  
10 filed within 30 days of that date; and (2) all the Defendants consent to removal.

11 Further, in compliance with 28 U.S.C. § 1446, the Defendants have  
12 attached as an appendix a true and complete copy of the pleadings on file in  
13 Whitman County Superior Court Cause No. 20-2-00074-38. Moreover, a copy  
14 of this notice, without the attached appendix, will be filed with the Whitman  
15 County Superior Court.

16 DATED this 15th day of May, 2020.

17  
18 ROBERT W. FERGUSON  
Attorney General

19 s/Carl P. Warring

20 CARL P. WARRING, WSBA No. 27164  
Assistant Attorney General

21 Torts Division

22 ZACHARY PEKELIS JONES, WSBA No.  
44557

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**PROOF OF SERVICE**

I certify that I electronically filed the above document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Joel B. Ard [Joel@Ard.law](mailto:Joel@Ard.law)

David K. DeWolf [David@albrechtlawfirm.com](mailto:David@albrechtlawfirm.com)

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 15th day of May, 2020, at Spokane, Washington.

ROBERT W. FERGUSON  
Attorney General

s/ Carl P. Warring  
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